

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

PETER AR-FU LAM

Examiner: Dorvil R.

Serial No. TBD

Group: 2654

Filed: 10/16/99

For:

Docket: ESY2A

TABLE FORMAT PROGRAMMING

Hon. Commissioner of Patents
and Trademarks

August 29, 2002

Washington, D.C. 20231

Sir,

Informal Communication

This informal communication is drafted as an agenda for the telephone interview scheduled on September 3, 2002 Tuesday.

1. **Background:** Application 09/419,752 is in fact entered as a CIP application claiming priority of the abandoned parent application 09/169,462. This is stated in the transmittal of the filing as well as the letter dated October 16, 1999 accompanied with the filing. The reason of entering the CIP filing is to add more detail description of pre-computer and post-computer activities into the specification according to the telephone interview of the parent application, so that these activities can be reflected in the amended claims. Specifying the application as a CIP filing will eliminate any concern that the additional information may constitute new matters. According to CIP nature, new set of claims can be filed instead of amending and renumbering the original set of

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claims one by one. Therefore the examiner is requested to review the claims as claim 1 to 91 as submitted in the new filing.

Discussion:

Do we need to renumber the latest set of claims? If so, we can cancel the previous claim 1 to 89 (not 1 to 85 as stated in the existing office action) and renumber the latest set of claims as claim number 90 to 180.

2. Background:

The concerns of the existing office action had already been addressed in the revised new set of claims 1 to 91. The accompanied remark and argument which includes detail discussion of pre-computer and post computer activities should be considered according to each independent claim.

Discussion:

(a) It seems that the office action had not been drafted according to the claim language of each independent claim, it has also not drafted according to the latest set of claims submitted. It is obvious that the arguments had not been considered as there is no comment about the point of arguments submitted. Accordingly, the applicant has no ground to provide the next response. Is it possible for the examiner to send another office action according to the new set of claims 1 to 91 (or the renumbered claims 1 to 91), consider the claim language of each independent claim and also carefully consider the argument provided in the remark of the letter dated October 16, 1999?

(b) The examiner is also respectfully requested to response to each argument submitted in the letter dated October 16, 1999 so that the applicant can have an understanding which claim language was agreed with the examiner and which one is not. In that way, we are able to isolated the area needed to compromise and work towards the allowable language of the remaining claims.

3. Discussion: As emphasized in the last paragraph of the letter dated October 16, 1999, the applicant wants to exercise his right pursuant to MPEP 707.07(j) requesting the examiner to suggest broadest modification to the subject

Lam

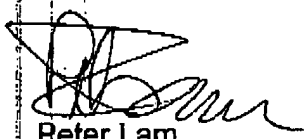
Page 3 of 3

claims to make it allowable. This request is particularly reasonable as the office action had pointed out the subject application has practical application. The only obstacle to be resolved is to work together amending allowable claim language for overcoming the 35 USC 101 rejection.

4. **Discussion:** Since the applicant has no chance to obtain an office action that properly response to the latest set of claims and also addressing all the latest arguments submitted (in the letter dated October 16, 1999), the applicant wants to present a request not to set the next office action as an immature final office action, so that he can have the chance to see an office action addressed according to the latest set of claims and have the merit of the latest argument fully considered.

Thank you for your kind attention.

Respectfully submitted by,



Peter Lam

Applicant
20104 Wayne Ave.,
Torrance, CA 90503.

Telephone: (310) 320-9811
Fax: (310) 320-9812

I hereby certify that this correspondence is being faxed to (703) 305-9508 of the US Patents and Trademarks, Washington, D.C. 20231, on August 29, 2002.



Peter Ar-Fu Lam